



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities."

Board Members

Max Wilson, District 4, Chairman
Fulton Brock, District 1
Don Stapley, District 2
Andrew Kunasek, District 3
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, Arizona 85003

FORMAL MEETING MINUTES

BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts and/or Board of Deposit)

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| Board of Deposit | No Meeting |

**Wednesday, December 16, 2009
9:00 A.M.**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, December 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

1. INVOCATION

Dr. Silva, Assistant County Manager, gave the invocation.

2. PLEDGE OF ALLEGIANCE

Neeraj Deshpande, OMB, led the assemblage in the Pledge of Allegiance.

3. ROLL CALL

The Clerk called the role as given above:

BOARD OF SUPERVISORS

A video showing 2009 highlights was shown.

4. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL

Dr. Rodrigo Silva, Director, Animal Care and Control, brought a 7-year old Chihuahua named Kahlua to the pet showcase, Kahlua was left behind when his family moved away and is hoping to be adopted into a new family soon. Dr. Silva reported that the number of Chihuahuas in the shelter has doubled in the last year and far outnumber any other breed. He asked anyone who wants a small, smart dog to come and take a look and hopefully adopt.

PRESENTATIONS

5. REWARDING IDEAS PROGRAM

Candy Steill, Rewarding Ideas, and Chairman Wilson presented the following employee awards from the Rewarding Ideas Program for money-saving ideas that totaled \$249,090 in savings to the County this year. All Board Members left the dais to congratulate the winners. (C-20-10-021-M-00)

| EMPLOYEE | DEPARTMENT | SUGGESTION | SAVINGS | AWARD |
|---------------|-----------------------|---|---------------------|-------|
| Ted Rodriguez | Facilities Management | Proposed placing photo cells on egress watt light fixtures. | \$702 (tangible) | \$140 |
| Benny Estrada | Facilities Management | Proposed installing energy-control window film panels and | | \$764 |

| | | | | |
|------------------------------------|-----------------------|--|-------------------------|--------------|
| | | textilene screen on skylight. | \$3,820 (tangible) | |
| Joseph Asarisi and Richard Jenkins | Sheriff's Office | Proposed eliminating the laundry softener Eco-Star in Sheriff's Office Laundry formulas. | \$11,020 (tangible) | \$1,250 each |
| Donald Manies and Jeff Hanna | Facilities Management | Proposed installing two-lamp fluorescent fixtures in the Forensic Science Parking structure. | \$81,711 (tangible) | \$1,250 each |
| Orvis Wiens and John Tucker | Facilities Management | Proposed replacing the steam boilers at Durango Jail with hot water boilers. | \$147,037 (tangible) | \$1,250 each |
| Steven Warburton and Lisa Amos | Public Works | Proposed eliminating mailing flyers announcing public auctions and changing over to an on-line subscription and communications method. | \$4,800 (tangible) | \$480 each |

6. CHAIRMAN AWARDS

Chairman Wilson announced his decision to honor his choices for Maricopa County's Outstanding Employee of the Year and Outstanding Elected Official of the Year, adding that once he started reviewing names this had proven to be much more difficult than he had anticipated. He honored Diane Sikokis, Director of Government Relations, as the Outstanding Employee of the Year for Maricopa County and outlined some of the many ways she has benefited County government in working with the State Legislature and State Government.

Ms. Sikokis received a plaque as she retires and said that she and her staff could not have achieved nearly as much without the help and support of the Board and County Manager.

The Chairman chose Helen Purcell, County Recorder, as Maricopa County's Outstanding Elected Official for 2009. Chairman Wilson said Mrs. Purcell is an elected official who had consistently, and graciously, made time for him out of her busy schedule when he had questions or needed to talk to her, for which he was very appreciative.

Mrs. Purcell responded that Maricopa County is "dear to her heart" and in the 21 years she has served she felt all County officials had worked very hard to do their very best job for the County. She thanked the Chairman for the honor but felt it really goes to the

employees of Maricopa County, "who make us look good."

7. MARICOPA COUNTY 2009 COMBINED CHARITABLE CAMPAIGN PRESENTATIONS
"LOSE-TO-WIN"
US AIRWAYS GIFT CARD
ARIZONA, THE BEAUTIFUL PHOTO CONTEST (C-20-10-024-P-00)

John Hauskins, Chairman of this year's Combined Charitable Campaign, presented prizes to winners and winning teams of the various contests held to raise money for this yearly campaign. The total weight loss for the "Lose to Win Challenge" was 655.3 lbs and they raised approximately \$4,000 for the campaign. Gloria Palidina was present for CIGNA who sponsored this challenge.

Leigh Wells, Valley of the Sun United Way, thanked the County for supporting United Way again this year. She awarded a \$500 US Airways gift card to Sol Soto, Animal Care & Control, his name having been picked in a random drawing. Mr. Soto was not present and Dr. Silva received the award in his stead. Dr. Silva related said this is a very deserving award for Sol Soto, adding that Mr. Soto is right now driving his AC&C truck in serving Maricopa County as he has done for the past 31 years. Dr. Silva thanked United Way for making this award.

John Hauskins announced the winners in the photo contest, which had more than 40 entries. He named the judges of both the color and black and white photos as Kenny Harris, Assistant County Manager, David Smith, County Manager and Superior Court Presiding Judge Barbara Mundell. He said that large replicas of the winning photos will be displayed in the Court Tower.

STATUTORY HEARINGS

Clerk of the Board

8. LIQUOR LICENSE APPLICATIONS

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

a. NEW LICENSE FOR DUNERS PIZZA

Pursuant to A.R.S. § 4-201, approve an application filed by Lloyd Earl Banning Jr. for a New Series 12 Liquor License for Duners Pizza at 7707 SW Highway 85 #133, Buckeye, AZ 85326. (AZ12078184) (Supervisory District 4) (C-06-09-442-L-01)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Wilcox, Wilson
Nays: Brock
Absent: Kunasek

b. NEW LICENSE FOR WILD VINES

Pursuant to A.R.S. § 4-201, approve an application filed by Christopher Thad Prather for a New Series 12 Liquor License for Wild Vines at 4111 N. Daisy Mountain Drive, Phoenix, AZ 85086 (AZ 12078187)(Supervisory District 3) (C-06-

10-178-L-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Wilcox, Wilson

Nays: Brock

Absent: Kunasek

c. NEW LICENSE FOR A&N MARKET

Pursuant to A.R.S. § 4-201, approve an application filed by Hikmat Matti Yousif for a New Series 10 Liquor License for A&N Market at 8601 E. Apache Trail, Mesa, AZ 85207 (AZ 10075868)(Supervisory District 2) (C-06-10-180-L-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Wilcox, Wilson

Nays: Brock

Absent: Kunasek

d. NEW LICENSE FOR WALGREENS #07582

Pursuant to A.R.S. § 4-201, approve an application filed by Randy Allen Guse for a New Series 10 Liquor License for Walgreens #07582 at 13014 W. Camelback Road, Litchfield Park, AZ 85340. (AZ 10075884)(Supervisory District 4) (C-06-10-200-L-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Wilcox, Wilson

Nays: Brock

Absent: Kunasek

e. NEW LICENSE FOR WALGREENS #07516

Pursuant to A.R.S. § 4-201, approve an application filed by Randy Allen Guse for a New Series 10 Liquor License for Walgreens #07516 at 2411 W. Anthem Way, Anthem, AZ 85086. (AZ 10075885)(Supervisory District 3) (C-06-10-201-L-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Wilcox, Wilson

Nays: Brock

Absent: Kunasek

Public Works

9. ROAD FILE DECLARATIONS

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

a. ROAD FILE NO. 5832

Road File No. 5832 to Open and Declare the following described alignments into the County Transportation System:

General Vicinity: Olive Avenue, Perryville Road, Peoria Avenue, Citrus Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4. (C-91-10-049-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Assessor

10. IGA WITH THE CITY OF PHOENIX FOR REMOTE ACCESS TO SIRE SYSTEM TO VIEW ONLINE DOCUMENTS

Approve an Intergovernmental Agreement (IGA) between City of Phoenix and Maricopa County through the Assessor's Office, for the purpose of allowing Maricopa County Assessor's Office employee to review blueprint, plot plans, building plans, floor plans and other documents, photographs and information electronically utilizing the City of Phoenix SIRE document management system. This Intergovernmental Agreement is non-financial and is effective from December 17, 2009 until cancellation by one party. (C-12-10-001-3-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Sheriff

11. DONATION OF WOMENS' EXERCISE EQUIPMENT FOR USE BY FEMALE INMATES

Approve a donation to the Sheriff's Office of 14 pieces of exercise equipment, valued at \$8,400 by the owner, Greg Seiler, to be used in the Sheriff's Office jails by female inmates. (C-50-10-069-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

12. INCREASE SOLE SOURCE PURCHASE CONTRACT AMOUNT OF GRANT FUNDED COPLINK MODULES AND RELATED HARDWARE

Approve an increase to Sole Source contract Serial 09027--SS with Knowledge Computing Corporation of \$665,000 for grant-funded COPLink software and services. The term of the

current contract ends October 31, 2013.

Grant funding for the MCSO AzLink Intelligence Systems Expansion (SHSGP) and MCSO AzLink Project (UASI) agendas C-50-10-044-G-00 and C-50-10-043-G-00 were accepted by the Board on October 7, 2009. The increase to the Sole Source will facilitate implementation.

RICO is the designated source for future continuing maintenance on MCSO's portion of this expenditure. Amounts have been updated to reflect recent negotiations. (C-50-10-074-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

13. RICO ONE-TIME ADDITION TO FLEET VEHICLE REPLACEMENT

Approve an addition to fleet of a vehicle seized during a parcels illegal drug investigation and ordered by the Court as property to the Maricopa County Sheriff's Office. This vehicle will replace a RICO vehicle that has outlived its useful life and is now too expensive to repair and maintain. It is a temporary addition to fleet that it will be removed at the end of its useful life with no funding from the general fund for its replacement.

This vehicle will be used for undercover operations involving illegal drugs and money laundering that require anonymity for officer safety and case integrity. Also approve an exemption from markings per A.R.S. 38.538.03, including the issuance of undercover non-governmental license plates. Confidential vehicle information concerning this vehicle and the vehicle being replaced will be furnished to the Clerk of the Board.

With the exception of required emissions testing, this vehicle will be inspected, repaired, and maintained by a contracted vendor using RICO funds. This vehicle replaces an existing RICO funded vehicle and the operational cost is estimated to be \$4,000 per year with no net impact to RICO fund. (C-50-10-073-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

14. ACCEPT CONTINUED GRANT FUNDING FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM

Approve the acceptance of \$74,393 in continued grant funding from the Arizona Criminal Justice Commission (ACJC) for Residential Substance Abuse Treatment Grant Program (RSAT) and authorize the Chairman to sign the award documents. The term of this funding is January 1, 2010 through December 31, 2010. The corresponding application was filed under Board agenda C-50-09-059-G-00, approved on April 1, 2009.

The Sheriff's Office indirect cost rate for FY10 is 16.6%; the unrecoverable indirect cost associated with this grant is \$12,349.24. There is a 25% match requirement (\$18,598) that will be funded by Sheriff's Office Inmate Services Fund (252). The Sheriff's Office has participated in the RSAT grant program for approximately eight years. (C-50-10-071-G-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Superintendent of Schools

15. APPLY AND ACCEPT 2010 TITLE III CONSORTIUM GRANTS

Approve the application for and acceptance of \$128,673.00 for the Title III Consortium grant (10FACENG-070696-02A) from the Arizona Department of Education (ADE). This grant is a federal entitlement grant that provides funds for the support of students who are learning the English language. These funds also support instructors who teach classes for students who are learning the English language. The term of this grant is for one year, July 1, 2009 to June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable.

MCSOS's indirect rate for FY 2010 is 21.50 percent. The restricted indirect cost rate allowed by this grant source is 0.00 percent. Unrecoverable indirect costs on this award are \$27,664.70. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This action does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-37-10-070-G-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

16. APPLY AND ACCEPT THE GIFTED EDUCATION, SMALL SCHOOLS CONSORTIUM GRANT

Approve the application for and acceptance of \$10,000.00 for the Gifted Education, Small Schools Consortium grant (10-SSAGFT-060738-01A) from the Arizona Department of Education (ADE). The purpose of this grant is to provide additional funding for school districts to deliver accentuated education and services to students who are designated as gifted from passing a state approved test at the 97th percentile or above. The term of the grant is one year, July 1, 2009 – June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable.

MCSOS's indirect rate for FY 2010 is 21.50 percent. The restricted indirect cost rate allowed by this grant source is 0.00 percent. Unrecoverable indirect costs on this award are \$2,150.00. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This action does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-37-10-071-G-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Treasurer

17. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY REPORT

Pursuant to A.R.S. § 11-501, receive the Treasurer's Statement of Collections and Investment summary reports for October 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-10-009-7-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

JUDICIAL BRANCH

Justice Courts

18. TRANSFER EXPENDITURE APPROPRIATION FOR JUSTICE COURTS TEMPORARY COURT CLERK POOL

Pursuant to A.R.S. § 42-17106, transfer FY 2009-10 expenditure appropriation of \$305,000 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring/Non-Project (001) Potential Expenditures from Fund Balance line to Justice Courts (240) Justice Courts Special Revenue Fund (245) Non-Recurring/Non-Project (0001). Approval of this action will support Justice Courts staffing of a temporary court clerk pool through use of a one-time expenditure from fund balance. Temporary staff will be used to assist in processing civil and criminal traffic cases.

This authorization is required to pay for the usage of temporary staff from the Justice Courts Special Revenue Fund (245). The temporary clerks will be hired through an outside contract agency. (C-24-10-004-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Superior Court

19. FILL THE GAP PLAN

In accordance with the provisions of A.R.S. § 12-102.02, subsection(C), authorize the Chairman of the Board to endorse and sign the FILL THE GAP plan submitted by the Presiding Judge of the Superior Court. In accordance with the statute, the plan has already been endorsed by the Presiding Judge, the Clerk of the Superior Court, and the Presiding Justice of the Peace in Maricopa County.

Also, Pursuant to A.R.S. § 42-17106, transfer FY 2009-10 revenue and expenditure appropriation of \$194,045 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Operating (0000) Potential Fee Increases line to Superior Court (800) Superior Court Fill the Gap Fund (264) Operating (0000).

In addition, Pursuant to A.R.S. § 42-17106, transfer FY 2009-10 revenue and expenditure appropriation of \$202,495 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Operating (0000) Potential Fee Increases line to Clerk of the Superior Court (160) Clerk of Court Fill the Gap Fund (218) Operating (0000).

Pursuant to Arizona Revised Statutes § 12-102.02 the Presiding Judge, in coordination with the Chairman of the Board of Supervisors, the Clerk of the Superior Court, and the Presiding Justice of the Peace in Maricopa County are to submit a plan to the supreme court that details how the funding provided from the State Aid to the Courts fund for the Maricopa County FILL THE GAP (FTG) plan will assist in improving criminal case processing.

The appropriation of \$194,045 will allow the Superior Court to provide \$100,000 of additional funding towards the Restitution, Fines and Reimbursement (RFR) joint project with the Clerk of Superior Court as well as funding towards but not limited to the following: server for court reporter notes, pre-trial services matrix project for Initial Appearance Court and Court Reporter funding.

The appropriation of \$202,495 will allow the Clerk of Superior Court to provide \$100,000 of additional funding towards the RFR joint project with the Superior Court as well as funding towards but not limited to the reimbursement of personal services salary savings for the Clerk of Court FTG fund. (C-80-10-010-2-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

COUNTY MANAGER

General Litigation

20. CONTRACT WITH PROLAW FOR PURCHASE OF CASE MANAGEMENT SYSTEM

Approve to enter into a five year contract with ProLaw from West Publishing, doing business as Elite, for the purchase of, implementation and maintenance of a case management system. The term of the contract is December 16, 2009 ~~December 2, 2009~~ through November 30, 2014. Initial purchase of licenses, implementation and the first year maintenance is \$44,394 with annual maintenance charges of \$3,791 for the remaining years.

The newly created Office of General Litigation has completed a Sole Source Procurement for an off the shelf software package for case management. This software will assist the department with file management, document management, records management, billing, accounting, docketing, calendaring and ties to Westlaw's online legal research tools. (C-33-10-001-3-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Public Fiduciary

21. PROPOSED SEVERANCE PAY SETTLEMENT AGREEMENT

Approve the proposed severance pay settlement agreement with Roger T. Coventry of the Maricopa County Public Fiduciary Office and Maricopa County with total expenditure of \$10,225.68. Authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This item was discussed in Executive Session on November 30, 2009. (C-34-10-001-S-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

DEPUTY COUNTY MANAGER

Correctional Health

22. AMENDMENT TO IGA WITH ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

Approve Amendment No. 5 to Intergovernmental Agreement (IGA) YH05-0024 between Arizona Health Care Cost Containment System (AHCCCS) and Maricopa County through the Department of Correctional Health Services in the not-to-exceed amount of \$18,100. The purpose of this amendment is to extend for one year. This amendment is effective from October 1, 2009 to September 30, 2010. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

This agreement will save Correctional Health Services approximately \$500,000 on an annual basis. (C-26-05-009-2-04)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

23. AMENDMENT TO INTERAGENCY SERVICE AGREEMENT WITH ARIZONA HEALTHCARE COST CONTAINMENT SYSTEM

Approve Amendment No.1 to Intergovernmental Agreement (IGA) YH08-0073 between Arizona Health Care Cost Containment System (AHCCCS) and Maricopa County through the Department of Correctional Health Services in the not-to-exceed amount of \$154,000. The purpose of this amendment is to extend the agreement for one year. This amendment is effective from July 1, 2009 to June 30, 2010. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect. (C-26-08-011-0-02)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Management and Budget

24. ADMINISTRATIVE CORRECTION TO TWO PREVIOUS ACTIONS REGARDING THE MARICOPA COUNTY AND JUDICIAL BRANCH PERSONNEL AGENDAS

Approve an action to clarify the following previous actions by the Board on:

1. August 5, 2009 (C-49-10-002-6-00) that approved the Maricopa County and Judicial Branch Personnel Agendas for the period of January 3, 2009 to July 15, 2009 and the 2009 One-Time Lump Sum Merit Awards AND

2. September 2, 2009 (C-49-10-002-6-01) that amended the approved Maricopa County and Judicial Branch Personnel Agendas for the period of January 3, 2009 to July 15, 2009 and the 2009 One-Time Lump Sum Merit Awards necessary due to the inclusion of incorrect working title information.

This action will clarify that the action taken on August 5, 2009 is rescinded and replaced with the action taken on September 2, 2009; and the corresponding attachments as presented and described below, are the approved attachments of record for the action on September 2, 2009 (C-49-10-002-6-01) and on file in the Office of the Clerk of the Board : (C-49-10-002-6-02)

- * "Exhibit A – Maricopa County Personnel Agenda 08/05/2009" (28 pages)
- * "Exhibit B – Judicial Branch Personnel Agenda 08/05/2009" (5 pages)
- * "Attachment - One-Time Lump Sum Merit Awards Paid 1-1-09 through 7-15-09" (1 page)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Office of Enterprise Technology

25. TRANSFER OF EXPENDITURE AUTHORITY FOR THE PURCHASE OF ENTERPRISE UNLIMITED LICENSING FOR BUSINESS OBJECTS

Pursuant to A.R.S. 42-17106(b), approve the transfer of expenditure authority in the amount of \$96,000 from FY 2009-10 Non-Departmental (470) General Fund (100) Contingency (4711) Non-Recurring/Non-Project (0001) to a new line item in FY 2009-10 Non-Departmental (470) General Fund (100) Technology Projects (4715) Non-Recurring/Non-Project (0001) entitled CGI Maintenance Program. This action authorizes the transfer of contingency funds to purchase an Enterprise (Unlimited User) Server License for Business Objects to be used with the Advantage Financial System. (C-41-10-006-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Public Health

26. IGA WITH DEER VALLEY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Deer Valley School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$9,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-083-3-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

27. IGA WITH MADISON ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Madison Elementary School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$4,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-084-3-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

28. IGA WITH PEORIA UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Peoria Unified School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$14,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-085-3-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

29. IGA WITH ISAAC SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Isaac School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$11,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-086-3-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

30. IGA WITH PENDERGAST SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Pendergast School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$5,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-087-3-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

31. RESCIND BOARD ACTION REGARDING IGA WITH CARTWRIGHT SCHOOL DISTRICT FOR SCHOOL BASED TOBACCO EDUCATION AND PREVENTION SERVICES

Rescind action taken by the Board of Supervisors on November 4, 2009 (C-86-10-061-3-00) to approve an Intergovernmental Agreement (IGA) between Cartwright School District and Maricopa County by and through its Department of Public Health for school-based tobacco use prevention and education services. This action is rescinded due to a duplication error, as the above-referenced IGA was already approved by the Board and executed on October 7, 2009 under agenda (C-86-10-032-3-00). (C-86-10-061-3-01)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

32. AMENDMENT TO CONTRACT WITH PHOENIX CHILDRENS HOSPITAL FOR MOBILE MEDICAL CLINIC

Approve Amendment No. 2 to Contract between Phoenix Children's Hospital (PCH) and Maricopa County through its Department of Public Health (MCDPH), Healthcare for the Homeless (HCH) Program and to provide medical services to homeless youth via a mobile

medical clinic. This amendment increases the funding by \$160,000, bringing the total contract amount not-to-exceed from \$133,762 to \$293,762, for the budget period November 1, 2009 to October 31, 2010. The budget term is November 1, 2008 to October 31, 2010. This amendment also makes administrative changes to the contract. All other terms and conditions of the original contract shall remain in full force and effect.

This subcontract is exempt from the Maricopa County Procurement Code under Section MC1-102C, as it is a prior designated subcontractor of the Grantor. Funding for this contract is provided by a grant from the Health Resources and Services Administration and will not affect the County general fund. (C-86-09-036-3-02)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

33. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TUBERCULOSIS CONTROL PROGRAM

Approve Amendment No 3 to IGA Contract (HG854521 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health (MCDPHS) for decreased grant funding to the Tuberculosis Control Program (TB). This amendment decreases the budget by \$178,372, bringing the total not to exceed from \$460,014 to \$281,642. The budget period is July 1, 2009 through June 30, 2010. The term of this IGA is July 1, 2008 through June 30, 2013.

The Department of Public Health's indirect rate for FY 2009-10 is 19.5%. Indirect Cost is decreased from an estimated amount of \$75,065 to \$45,958, all of which is fully recoverable.

Funds for this IGA are provided by a grant from ADHS and do not affect the County's general fund. A budget reduction for this grant will be included in the future appropriation adjustment. (C-86-09-008-G-04)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

34. PURCHASE ORDER TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FOR IMMUNIZATION PROGRAM

Approve Purchase Order (EOH33494) to Intergovernmental Agreement (IGA) (No. HG854288) between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health providing funding through the American Recovery and Reinvestment Act of 2009 for immunization services. This Purchase Order provides funding in the amount of \$930,840 for budget period September 1, 2009 through December 31, 2011. The term for this IGA is January 1, 2008 through December 31, 2012. All other terms and conditions of the original IGA shall remain in full force and effect. The Department of Public Health indirect rate for FY 2009-10 is 19.5%. Grant indirect costs are fully recoverable, and are estimated to be \$151,895.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funding for this agreement is provided by a Grant from ADHS and will not increase the County general fund budget. (C-86-08-056-2-05)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care and Control

35. AGREEMENT WITH CUTE STUFF ANIMAL RESCUE FOR NEW HOPE PROGRAM

Approve an Agreement between Eleanore Stone, d.b.a. Cute Stuff Animal Rescue, 2957 E. Vermont Drive, Gilbert, AZ 85295, and Maricopa County to allow Cute Stuff Animal Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 30 new hope rescues over the term of the agreement, for a total of \$1,200. The term of this Agreement is from December 16, 2009 through June 30, 2011. (C-79-10-050-3-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

36. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Foster Program in the amount of \$3,888.55.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-051-D-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

37. AGREEMENT WITH ARIZONA ADOPT A GREYHOUND, INC. FOR NEW HOPE PROGRAM

Approve an Agreement between Arizona Adopt A Greyhound, Inc., a 501 (C) 3 corporation, P. O. Box 63033, Phoenix, AZ 85082, and Maricopa County to allow Arizona Adopt A Greyhound, Inc. under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates three new hope rescues over the term of the agreement, for a total of \$120. The term of this Agreement is from December 16,

2009 through June 30, 2012. (C-79-10-052-3-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Human Services

38. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR WORKFORCE INVESTMENT ACTIVITIES

Approve Amendment No. 1 to an Intergovernmental Agreement between Arizona Department of Economic Security (DE101047001) and Maricopa County (C-22-10-008-3) administered by its Human Services Department Maricopa Workforce Connections (MWC), for Workforce Investment activities. The purpose of this amendment is to increase Program Year 09 Set-A-Side funding from \$0 to \$23,880. The funds are provided under the Workforce Investment Act (WIA) Title, 1B Federal Grant program and do not impact the County General Fund.

The Fiscal Year 2009-10 Human Services Department actual indirect cost rate is 18% and the current negotiated approved U.S. Department of Health and Human Services indirect cost rate is 16.2%. The total grant funds are \$23,880, all of which are to be used as pass-through funds for program training costs for qualified job seekers and, therefore, not subject to indirect recovery. The overall grant budget will be adjusted as necessary to accommodate this grant amendment through a future reconciliation. This amendment is effective upon signature of both parties and will expire June 30, 2012. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The Set-a-Side funds for Program Year 09 will be used to provide training opportunities to job seekers in high demand industries such as Green Technology and Health Care. This will help meet the needs of employers who require a skilled workforce and the needs of job seekers who require jobs that will provide livable wages. (C-22-10-008-3-01)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

39. ADMINISTRATIVE CORRECTION TO THE APPLICATION AND ACCEPTANCE OF ARRA HEAD START EXPANSION GRANT ACTION

Approve an Administrative Correction to the action taken on September 2, 2009 (C-22-10-018-G-00) regarding the Head Start Expansion American Recovery and Reinvestment Act (ARRA) grant funds from the U.S. Department of Health and Human Services (DHHS)/Administration for children and families (ACF)/Office of Head Start (OHS). This correction reflects the decrease in the amount of funding that was originally applied for (\$1,884,047) and the actual amount awarded (\$858,258) for the first year of this two-year grant. The first year's funding term is from September 30, 2009 through September 29, 2010.

This first year's adjusted grant funding will include \$119,347 for start-up activities and \$738,911 for operations. The sub-recipient (delegate agency) of this grant will receive \$255,700 of the first year funds, including start-up funding. The Fiscal Year 2009-10 Human Services Department actual indirect cost rate is 18% and the current negotiated approved

U.S. Department of Health and Human Services indirect cost rate is 16.2%. The total grant funds are \$858,258; of which \$255,700 is for the sub-recipient and \$18,074 is for food contracts, computers and tuition assistance and not subject to indirect cost rates. The estimated indirect cost recovery amount is \$90,540. The allowable indirect cost recovery amount is \$81,486. The unallowable indirect cost recovery amount is \$9,054, which will be absorbed through departmental administrative spending reductions. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. This grant will not impact the County General Fund.

These funds will enable Maricopa County and its sub-recipient (delegate agency) to serve 114 additional low-income children 3-5 years of age and their families instead of the 222 additional children requested in the original grant application. These funds will create 18 new positions. (C-22-10-018-G-01)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

40. AMENDMENT TO LICENSE AGREEMENT WITH CITY OF MESA FOR USE OF SPACE AT WASHINGTON ACTIVITY CENTER

Approve an amendment to License Agreement No. P50101 (C-22-08-131-4-00) with the City of Mesa, Parks, Recreation and Cultural Division, for Head Start classroom space located at the Washington Activity Center, 44 East 5th Street, Mesa, AZ. The original License Agreement was approved by the Board of Supervisors on February 20, 2008 for the period of January 1, 2008 through December 31, 2009. The purpose of this amendment is to extend the term of the License Agreement for one year, beginning January 1, 2010 through December 31, 2010. This amendment also provides the opportunity to renew the license for an additional one year term. All other terms and conditions of the original License Agreement remain the same and in full force and effect. (C-22-08-131-4-01)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

41. CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES FOR EXPANDED EARLY HEAD START SERVICES USING AMERICAN RECOVERY AND REINVESTMENT ACT GRANT FUNDS

Approve a Contract for Early Head Start services between Catholic Charities Community Services and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$408,111. The purpose of this Contract is to provide comprehensive child development and family support services to an additional 46 low-income pregnant women and children 0-3 years of age and their families in western Maricopa County. The term of the Contract is from November 1, 2009 through September 30, 2010. Funding for this Contract is provided by an American Recovery and Reinvestment Act (ARRA) grant from U.S. Department of Health and Human Services/Administration for Children and Families/Office of Head Start, which was approved by the Board of Supervisors on September 2, 2009 (C-22-09-153-G-00). The contract requires Catholic Charities to provide a 25 percent match (non-federal share) as their contribution to the program. This contract does not impact any County general funds.

The total expansion grant period is November 1, 2009 through September 30, 2011. Funding from this grant is provided annually; the first year's funding ends September 30, 2010. It is expected that a second year of grant funding will be awarded and this contract with Catholic Charities will be amended to reflect additional federal funding at that time. (C-22-10-040-3-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

42. AMENDMENT TO AGREEMENT WITH FSL HOME IMPROVEMENT FOR WEATHERIZATION LOW-INCOME ASSISTANCE

Approve Amendment No. 9 to the Contract between FSL Home Improvement, an Affiliate Corporation of the Foundation for Senior Living, and Maricopa County, administered by its Human Services Department (C-22-08-089-1-00), to increase the Contract amount by \$494,100. The purpose of this Amendment is to provide Weatherization services to low-income families and individuals. The term of this amendment is July 1, 2009 through June 30, 2010. This amendment is fully funded by a grant from the U.S. Department of Commerce, Energy Office (DOC/EO) (C-22-10-029-3-00) and will not affect the County General Fund.

This amendment will bring the total contract funding for FSL Home Improvement to \$4,530,335. (C-22-08-089-1-10)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

43. AMENDMENT TO CONTRACT WITH AREA AGENCY ON AGING, REGION ONE, INCORPORATED FOR CASE MANAGEMENT SERVICES

Approve Amendment No. 3 to the Contract between Area Agency on Aging, Region One, Incorporated (C-22-09-024-3-00) and Maricopa County administered by its Human Services Department, to increase the Contract amount by \$736,586 making the FY 2009-10 total Contract amount \$1,473,174, and to extend the term of the original contract an additional six months, from January 1, 2010 through June 30, 2010. This amendment is necessary to fund the SAIL program beyond the amended term dates.

The FY 2009-10 Human Services Department actual indirect rate is 18% and the current negotiated DHHS indirect rate is 16.2%. The grant allows 16.2% indirect cost recovery. The total grant funds are \$736,586; of which \$4,616 is passed through to equipment purchases which are not subject to indirect cost recovery. The total indirect costs are \$113,386. The allowable indirect cost recovery amount is \$102,048 and the unallowable indirect cost recovery is \$11,338.00, which will be absorbed through departmental administrative spending reductions.

This contract is fully funded by the Area Agency on Aging, Region One, Inc. and will not affect the County General Fund.

This contract funds the Senior Adult Independent Living program which provides Case Management Services to over 4,000 individuals throughout Maricopa County. The SAIL program provides assistance to elderly and physically disabled adult individuals living at

home in order to provide early intervention in identifying and coordinating service needs. (C-22-09-024-3-03)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Parks and Recreation

44. CONTRACT WITH GARNEY CONSTRUCTION, INC. FOR PRECONSTRUCTION AND CONSTRUCTION SERVICES

Approve and execute the Construction Manager at Risk (CMR) contract with Garney Construction, Inc. for the preconstruction and construction services, and to serve as general contractor for the Reservoir and Pressure Tank Renovations Project in the guaranteed maximum price of \$689,065. Funding is available in Parks and Recreation (300) Parks and Recreation Enhancement fund (241) non recurring (0001) in FY 2009-2010. (C-30-10-014-5-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

CHIEF FINANCIAL OFFICER

Finance

45. FUNDS TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

46. AMENDMENT TO LICENSE AGREEMENT WITH DISCOVERY WEST RANCHES PARTNERS

Approve Amendment No. 2 to License Agreement P-50121 with Discovery West Ranches Partners to extend the term of the agreement by six months, through December 31, 2010, and to allow application of biosolids at the Southwest Regional Center site at 103rd Avenue and Van Buren Street in Avondale, Arizona; and authorize access to the subject site to federal, state and local regulatory staff as required for permitting the application of biosolids at the subject site. (C-18-08-036-B-02)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

47. TEMPORARY ACCESS LICENSE AGREEMENT TO GRAND CANYON UNIVERSITY

Approve a temporary access license agreement No. P-50129, as approved by County Counsel, to permit Grand Canyon University access across County-owned property at the Animal Care and Control facility at 5231 N. 35th Avenue in Phoenix, AZ.

License agreement P-50129 will allow Grand Canyon University temporary ingress/egress across County-owned property at 5231 N. 35th Avenue in Phoenix to/from the university's campus during construction of several capital improvement projects on the University's campus. The term of the license agreement is through December 31, 2010, and the license agreement requires Grand Canyon University to make a one-time payment of \$2,500 to the County. Grand Canyon University will be responsible for ensuring compliance with all laws, ordinances, and regulations as part of the subject agreement. In addition, Grand Canyon University will be responsible for the installation and removal of any fencing that is required during the term of this agreement to ensure the continued safe operation of the County's Animal Care and Control facility. (C-18-10-035-L-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

CHIEF PROCUREMENT OFFICER

Materials Management

48. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

a. 06020-S, PRE-PAID DENTAL SERVICES

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: July 01, 2010

Serial: 06020-S

Item: Pre-Paid Dental Services (\$1,400,000.00 estimate/three years until June 30, 2013) To provide for a Pre-Paid (HMO) style dental care plan, for County employees and their dependants. This is 1 of 3 dental plans that the County offers in its benefit offers. The requested rate increase is less than the contract capped rates.

Employers Dental Services (C-73-10-057-7-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

b. 05063-RFP, BEHAVIORAL HEALTH AND EMPLOYEE ASSISTANCE SERVICES

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: July 01, 2010

Serial: 05063-RFP

Item: Behavioral Health and Employee Assistance Services (\$1,200,000.00 estimate/three years until June 30, 2013) To provide Behavior Health and Employee Assistance Services to County employees and there dependants as required. This is now a self insured program.

Magellan Health Services (C-73-10-060-7-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

c. 03189-C, QUALIFYING BID, SEDANS, FULL SIZE, POLICE EQUIPMENT PACKAGE

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: December 16, 2009 (Effective December 01, 2009)

Serial: 03189-C

Item: Qualifying Bid, Sedans, Full Size, Police Equipment Package (\$2,500,000.00 estimate/three months until February 28, 2010) Price agreement extension for three months for qualifying bid, sedans, full size police equipment package vehicles.

Camelback Ford
Five Star Ford
Sanderson Ford (C-73-10-062-7-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

d. 09022-C, ROAD GRADER, 160 H.P., & TRADE-IN OR OUTRIGHT SALE OF CATERPILLAR 140H GRADER

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 09022-C

Item: Road Grader, 160 H.P., & Trade-In Or Outright Sale Of Caterpillar 140h Grader (\$320,000.00) Increase price agreement value from \$155,000.00 to \$475,000.00. This \$320,000.00 increase is being requested by Equipment Services to purchase two replacement road graders for MCDOT. Materials Management Department Agenda approved the initial price agreement on April 9, 2009 in the amount of \$155,000.00. This price agreement has an expiration date of April 30, 2010.

Empire Machinery (C-73-10-061-7-00)

Motion to approve by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

49. TRANSFER EXPENDITURE AUTHORITY FOR E-PROCUREMENT SYSTEM

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$94,000 from FY 2009-10 Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) to Materials Management (730) General Fund (100) Non-Recurring/Non-Project (0001). Also, approve the transfer of expenditure authority in the amount of \$94,000 from FY 2009-10 Non-Departmental (470) General Fund (100) Operating (0000) to Materials Management (730) General Fund (100) Operating (0000). The transfer from Non Departmental will reduce the Contingency Lines in Operating and Non-Operating/Non-Recurring. These transfers will fund the one-time and recurring cost of the e-procurement and vendor management applications, licenses, maintenance, and training. These adjustments will result in a County-wide net financial impact of zero. Additionally, authorize the Office of Management and Budget to adjust the FY 2010-11 targets for the annualization of this action.

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$80,930 from FY 2009-10 Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) to Finance (180) General Fund (100) Non-Recurring/Non-Project (0001). Also, approve the transfer of expenditure authority in the amount of \$3,510 from FY 2009-10 Non-Departmental (470) General Fund (100) Operating (0000) to the Office of Enterprise Technology (410) General Fund (100) Operating (0000). The transfer from Non Departmental will reduce the Contingency Lines in Operating and Non-Operating/Non-Recurring. These transfers will fund the one-time and recurring cost of the OnBase modifications and annual maintenance of the new module. These adjustments will result in a County-wide net financial impact of zero. Additionally, authorize the Office of Management and Budget to adjust the FY 2010-11 targets for the annualization of this action.

Approve a contract with BidSync to provide Professional Installation/Development Services, Training, Licenses, Maintenance and Software with an implementation amount not to exceed \$272,440 for the purchase and implementation of an e-procurement system to be utilized in conjunction with the Department of Finances' OnBase software system. Annual

operating expenditures beginning in FY 2010-11 are not to exceed \$103,520. Non-Recurring/Non-Project costs are not to exceed \$10,000 annually through FY 2013-14. (C-73-10-063-2-00)

This item will be reposted as no action was taken at this meeting.

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Air Quality Department

50. IGA WITH REGIONAL PUBLIC TRANSPORTATION AUTHORITY FOR TRAVEL REDUCTION PROGRAM

Approve an Intergovernmental Agreement between Regional Public Transportation Authority (RPTA) (TM10 Sub) and Maricopa County through the Air Quality Department, in the not-to-exceed amount of \$56,797.19. This Intergovernmental Agreement is funded by a grant from Maricopa Association of Governments, (Agreement 412, C-85-10-014-3-00). The purpose of this Intergovernmental Agreement is to provide for professional services to the Maricopa County Regional Travel Reduction Program (TRP). This Intergovernmental Agreement is effective from October 1, 2009 until December 31, 2009. (C-85-10-021-3-00)

Blue Crowley, citizen, said a new bus book would be available on January 24, 2010, and asked if it would contain the rural routes to Ajo and Wickenburg, which have been missing in previous editions. He added that he had called RPTA and no one had been there to answer his question. He said the bus area of passenger service is not just the Phoenix metroplex but the entire County and some residents may want to take the bus to outlying areas and this information should be available to them.

Supervisor Wilcox said she is the Supervisor serving on the RPTA Board and asked those who assist her to look into this matter and report back to her.

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson

Absent: Kunasek

51. ACCEPT CONTRIBUTIONS FROM CONTRIBUTING PARTNERS OF AIR QUALITY CONFERENCE

Accept contributions totaling \$23,750 from 21 different contributing partners for the Maricopa County Air Quality Conference that occurred on Tuesday, October 20, 2009.

More than 440 attendees registered for the air quality conference, which is expected to be an annually recurring event. (C-85-10-020-D-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson

Absent: Kunasek

Emergency Management

52. AMENDMENT OT THE STATE HOMELAND SECURITY GRANT FOR MARICOPA COUNTY CITIZEN CORPS PLANNER

Approve Amendment No. 1 to the FFY 2007 State Homeland Security Grant No: 07-333201-02 for Citizen Corps Planner Grant, which extends the grant contract ending date from July 1, 2007 to December 31, 2009. Authorize Department Director to sign the Amendment No. 1. All other provisions shall remain in their entirety.

The grant was awarded from the State Homeland Security Grant Program (SHSGP) to Maricopa County through the Department of Emergency Management (MCDEM) for the Citizen Corps Program. (C-15-09-003-3-01)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Public Works

53. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-10-232-7-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

54. BID AND AWARD FOR ASPHALT RUBBER OVERLAY PROJECT

Approve the solicitation of bids for the Maricopa County Department of Transportation's Asphalt Rubber Overlay Project (ADT>4000), FY 2010, Work Order Number 30050068. Award the contract to the lowest responsive bidder, provided that the lowest responsive bidder does not exceed the Engineer's estimate by more than ten percent.

This project consists of edge milling and overlaying the existing road surfaces with Asphalt Rubber Concrete Pavement. Replacement or installation of pavement delineation and other miscellaneous work items are required to complete the project. The project consists of approximately 8 miles (159,136 SYDS) of road detailed in the included Road List. Supervisory Districts No(s): 2, 3, 4 and 5 (C-91-10-075-5-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

55. IGA WITH THE CITY OF PHOENIX FOR THE DYNAMITE ROAD FROM TATUM ROAD TO 56TH STREET

Approve the Intergovernmental Agreement (IGA) between Maricopa County and the City of Phoenix (# 127259) for the re-surfacing of a one mile section of Dynamite Road. The County will act as the lead agency for this project, with the City of Phoenix contributing 50% of the costs, but not-to-exceed \$85,000.00. The total cost of the project is estimated at \$170,000. Funds have been set aside in the Public Works (910) Transportation Capital Projects Fund (234) Pavement Preservation (PAVE) Project Number T329, Dynamite Road from Tatum Road to 56th Street.

The County plans to re-surface a one mile section of Dynamite Road from Tatum Road to 56th Street. The northern portion of the right-of-way resides with the County, with the southern portion residing in the City of Phoenix. The County is requesting that the City partner with them on a 50/50 basis for the needed resurfacing. Supervisorial District No. 3 (C-91-10-074-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

56. IGA WITH TOWN OF GILBERT FOR IMPROVEMENTS TO CHANDLER HEIGHTS ROAD AND IMPROVEMENTS TO GREENFIELD ROAD

Approve an Intergovernmental Agreement (IGA) between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the Town of Gilbert (Gilbert) for improvements to Chandler Heights Road from Val Vista Drive to Rockwell Street and Greenfield Road from Queen Creek Road to Chandler Heights Road. The Town of Gilbert will provide 100% of the funding for the improvements to the Project and the County is responsible for providing staff support and will issue no cost permits for project related work within unincorporated jurisdictional boundaries.

The purpose of this project is to improve Chandler Heights Road from Val Vista Drive to Rockwell Street and Greenfield Road from Queen Creek Road to Chandler Heights Road under Gilbert CIP Project #ST076 and ST101. The Project will widen Chandler Heights Road to accommodate four lanes and Greenfield Road to accommodate four lanes with a striped median on both roads. The Project will also include curb and gutter, sidewalks, driveways, bike lanes, landscaping, street lighting, water lines, sewer lines, drainage and irrigation. The project will also include bridge widening and improvements across the East Maricopa Floodway and the RCWD Canal on Chandler Heights Road. Upon the execution of the IGA, Gilbert will initiate the annexation of the Project area. In addition, upon the issuance of the notice to proceed, Gilbert will assume responsibility and liability for construction, operation and maintenance of the roadway until annexation is complete.

The County will issue no-cost permits to Gilbert to work within unincorporated limits of the County. Additionally, the County will assist with the acquisition of right-of-way within the County's jurisdiction, if requested by Gilbert. The County will forward any invoices to Gilbert for payment of any expenses that may be accrued for the acquisition of right-of-way for the Project. Supervisory District No. 1 (C-91-10-078-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

57. IGA WITH THE TOWN OF GILBERT FOR IMPROVEMENTS TO WILLIAMS FIELD ROAD AND IMPROVEMENTS TO RECKER ROAD

Approve an Intergovernmental Agreement (IGA) between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the Town of Gilbert (Gilbert) for improvements to Williams Field Road from Union Pacific Rail Road (UPRR) to Power Road and Recker Road from Vest Road to UPRR. The Town of Gilbert will provide 100% of the funding for the improvements to the Project and the County is responsible for providing staff support and will issue no cost permits for project related work within unincorporated jurisdictional boundaries.

The purpose of this project is to improve Williams Field Road from UPRR to Power Road and Recker Road from Vest Road to UPRR under Gilbert CIP Project #ST095. The Project will widen Williams Field Road to accommodate six lanes with a raised median and Recker Road to accommodate four lanes. The Project will also include curb and gutter, sidewalks, driveways, landscaping, street lighting, drainage and irrigation. Upon the execution of the IGA, Gilbert will initiate the annexation of the Project area. In addition, upon the issuance of the notice to proceed, Gilbert will assume responsibility and liability for construction, operation and maintenance of the roadway until annexation is complete.

The County will issue no-cost permits to Gilbert to work within unincorporated limits of the County. Additionally, the County will assist with the acquisition of right-of-way within the County's jurisdiction, if requested by Gilbert. The County will forward any invoices to Gilbert for payment of any expenses that may be accrued for the acquisition of right-of-way for the Project. Supervisory District No. 1 (C-91-10-077-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

58. IGA WITH THE TOWN OF GILBERT FOR IMPROVEMENTS TO RIGGS ROAD FROM VAL VISTA DRIVE TO RECKER ROAD

Approve an Intergovernmental Agreement (IGA) between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the Town of Gilbert (Gilbert) for improvements to Riggs Road from Val Vista Drive to Recker Road. The Town of Gilbert will provide 100% of the funding for the improvements to the Project and the County is responsible for providing staff support and will issue no cost permits for project related work within unincorporated jurisdictional boundaries.

The purpose of this project is to improve Riggs Road from Val Vista Drive to Recker Road under Gilbert CIP Project #ST100. The Project will widen Riggs Road to accommodate six lanes with a raised landscaped median. The Project will also include curb and gutter, sidewalks, driveways, landscaping, street lighting, traffic signal interconnects, water lines, sewer lines, drainage and irrigation. Upon the execution of the IGA, Gilbert will initiate the annexation of the Project area. In addition, upon the issuance of the notice to proceed, Gilbert will assume responsibility and liability for construction, operation and maintenance of the roadway until annexation is complete.

The County will issue no-cost permits to Gilbert to work within unincorporated limits of the County. Additionally, the County will assist with the acquisition of right-of-way within the County's jurisdiction, if requested by Gilbert. The County will forward any invoices to Gilbert for payment of any expenses that may be accrued for the acquisition of right-of-way for the

Project. Supervisory District No. 1 (C-91-10-076-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

59. CHANGE ORDER TO CONTRACT WITH HOQUE & ASSOCIATES, CONSULTING ENGINEERS

Approve Change Order No. 1 for Solid Waste Management Department (SWMD) to contract number SWM 2006-001, Hogue & Associates, Consulting Engineers. This contract is to provide engineering services to assist in the closure of the Queen Creek Landfill. This Change Order has no financial impact on the contract itself. (C-67-07-005-1-01)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

60. BID AND AWARD FOR BRIDGE REHABILITATION OF THE OLD US 80 AT GILA RIVER (GILLESPIE DAM BRIDGE), BRIDGE PRESERVATION PROJECT

Approve the solicitation of bids for the Maricopa County Department of Transportation's Bridge Rehabilitation of the Old US 80 Bridge at Gila River (Gillespie Dam Bridge), Bridge Preservation Project Number T188. Award the contract to the lowest responsive bidder, provided that the lowest responsive responsible bidder does not exceed the engineer's estimate by ten percent.

The historic Old US 80 Bridge at Gila River (Gillespie Dam Bridge) was built in 1927 in general vicinity of Arlington in Maricopa County and was listed on the National Register of Historic Places in 1981. The bridge is one of the largest steel truss bridges in the state and was a vital link in the US-80 Highway (Ocean-to-Ocean Highway).

The purpose of this project is to improve the Old US 80 Bridge at Gila River by providing structural repairs to this historic bridge. This project will require the following work:

Bridge bearing repair, Concrete deck repair, Pipe railing repair, Sway bracing repair, heat straighten bent members, Add diaphragm to brace stingers, Scour protection, Protective beams, Temporary at grade detour, Signs for bridge, Repave approaching roadway, Expand Interpretive Centers with Historic Markers and Install approach guard rail. Supervisory District No. 5 (C-91-10-082-5-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

61. IGA WITH THE CITY OF PEORIA TO FACILITATE THE INSPECTION OF THE PEORIA AVENUE BRIDGE OVER NEW RIVER

Approve the Intergovernmental Agreement (IGA) between Maricopa County and the City of Peoria to facilitate the inspection of the Peoria Avenue Bridge over New River and to prepare a scope of work to determine what repairs are needed to improve the overall safety of the bridge structure. Project scoping is estimated to cost \$50,000. Funds have been set

aside in the Public Works (910) Transportation Capital Projects Fund (234) Bridge Preservation Project Number T325, Peoria: New Bridge Repairs.

This project agreement is to facilitate the inspection of the Peoria Avenue Bridge over New River and to prepare a scope of work to determine what repairs are needed to improve the overall safety of the bridge structure. The City annexed the bridge in 2005 along with adjacent land and roads and expected to receive a bridge in a relative maintenance free condition. However, the bearing pads had already begun to fail, as noted in the latest Maricopa County Department of Transportation bridge inspection report dated February 23, 2007, causing the City and the County to agree to mutually analyze and evaluate the structural integrity of the pads and to identify what repairs, if any, are appropriate. This evaluation does not obligate either partner to any future work or costs.

Maricopa County Department of Transportation will be the lead agency in the scoping and will pay all costs associated with the scoping. Both parties agree to consider a new intergovernmental agreement for the associated construction work upon completion of the inspection and scope of work. Supervisory District No. 4 (C-91-10-083-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

62. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF CHANDLER

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Chandler of County right-of-way within: a portion of Arizona Avenue from 330 feet South of Germann Road to 1023 feet South of Germann Road, in accordance with Ordinance No. 4069. (Supervisory District No. 1) (C-91-10-079-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

BOARD OF SUPERVISORS

Clerk of the Board

63. REAPPOINTMENT OF VOLUNTARY VEHICLE REPAIR AND RETROFIT PROGRAM ADVISORY COMMITTEE MEMBER

Approve the reappointment of Mr. Alex Studham (Arizona Department of Environmental Quality) to the Voluntary Vehicle Repair & Retrofit Program Advisory Committee. The term of the reappointment will be effective February 1, 2010 through January 31, 2012.

Pursuant to A.R.S. § 49-474.04: "The board of supervisors shall appoint an advisory committee representing the department of transportation, the department of environmental quality and the parties affected by the voluntary vehicle repair and retrofit program, including automobile hobbyists and the automotive aftermarket products industry, to advise and make recommendations on the development and implementation of the program. Members shall be appointed for staggered terms of two years. Initial terms shall be determined by lot." (C-85-10-016-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

64. REAPPOINTMENT TO THE TRAVEL REDUCTION TASK FORCE COMMITTEE

Approve the reappointment of Mr. Matthew Quick (Town of Gilbert) to the Travel Reduction Program Regional Task Force as nominated by District 2. The term of the reappointment will be effective beginning February 1, 2010 through January 31, 2012.

Approve the reappointment of Mr. Len Pape (WinCup) to the Travel Reduction Program Regional Task Force as nominated by District 4. The term of the reappointment will be effective beginning February 1, 2010 through January 31, 2012.

Approve the reappointment of Ms. Sheila Henson (Bank of America) to the Travel Reduction Program Regional Task Force as nominated by District 5. The term of the reappointment will be effective beginning February 1, 2010 through January 31, 2012. (C-85-10-017-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

65. REAPPOINTMENT TO TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE

Approve the reappointment of Daniel Mather (Southwest Gas), representing District 3, as Chairman of the Travel Reduction Program Regional Task Force for the term of February 1, 2010 through January 31, 2012.

Pursuant to A.R.S. §49-582, the task force shall nominate a chairman for the Task Force who is then officially appointed by the Board. The Travel Reduction Program Regional Task Force voted to nominate Daniel Mather as Chairman of the Task Force. Per A.R.S. §49-582, the TRP program is required to have a task force representing the interests affected by the travel reduction program. Members must be selected from major employers, transportation management associations, business parks, industrial parks, office buildings, shopping centers or other concentrations of commercial interests, or public interest groups established to address transportation or air quality issues or political subdivisions. (C-85-10-018-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

66. REAPPOINTMENT TO THE BOARD OF ADJUSTMENT AND DRAINAGE REVIEW BOARD

Approve the reappointment of Garry Hays to the Board of Adjustment and the Drainage Review Board representing Supervisorial District 1. The term of the appointment will be effective as of February 6, 2010 through February 5, 2014. (C-06-10-190-9-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

67. RESOLUTION REGARDING DISSOLUTION OF HOSPITAL DISTRICT NO. ONE

Adopt a Resolution declaring the dissolution of Hospital District No. One, Maricopa County, Arizona.

In accordance with Resolution No. 99-06 and Resolution No. 2009-02 adopted by the Board of Directors of Hospital District No. One, and in accordance with the results of the special election held within the District November 7, 2000, approving the dissolution of the District upon satisfaction of all provisions of the Plan of Dissolution set forth in District Resolution No. 99-06, the Board of Directors of Hospital District No. One has certified that all requirements for dissolution of Hospital District No. One have been met. In accordance with the Plan of Dissolution, the District requests the Board of Supervisors to adopt this Resolution declaring the District dissolved. (C-06-10-202-M-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Industrial Development Authority

68. RESOLUTION FOR THE ISSUANCE OF BONDS TO BENEFIT SCOTTSDALE CHRISTIAN ACADEMY

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa for the issuance of its Education Facility Revenue Bonds (Scottsdale Christian Academy Project), Series 2009, to be issued in one or more series in an amount not-to-exceed \$7,500,000 aggregate principal amount. (C-18-10-034-4-00)

Motion to approve by Supervisor Brock, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Clerk of the Board

69. BINGO LICENSE APPLICATION FOR GFWC-MORRISTOWN WOMAN'S CLUB

Pursuant to A.R.S. § 5-404(I), receive the application filed by GFWC-Morristown Woman's Club for a Class A Bingo License to be used at 25950 W. Rockaway Hills Drive, Morristown, AZ 85342 and set a public hearing to be held on Wednesday, January 13, 2010.

At the hearing, the Board of Supervisors will recommend approval or disapproval of the application and forward the original application endorsed with its approval or disapproval to the Arizona Department of Revenue. (C-06-10-219-L-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Planning and Development

70. ZONING CASES

Schedule Planning and Development public hearing on zoning cases and other matters for the January 13, 2010 meeting. (List is on file with the Clerk of the Board's office) (C-44-10-055-M-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

CONSENT AGENDA

Clerk of the Board

71. CANVASS OF ELECTIONS

Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's Office. (C-06-10-229-7-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

72. COST PER FELONY CASE ANNUAL REPORT

Pursuant to A.R.S. § 11-584(A)(3), receive the cost per felony case annual report as submitted by the Office of the Legal Advocate; Office of the Legal Defender; and Office of the Public Defender of Maricopa County. (C-06-10-234-M-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

73. DONATIONS

In accordance with County Policy A2805, accept the monthly donation report received from Library District for November 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-10-228-7-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

74. MARKET RANGES

Pursuant to A.R.S. §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-10-230-7-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

75. PRECINCT COMMITTEEMEN

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-10-231-7-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

76. SECURED TAX ROLL CORRECTIONS

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-10-233-7-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

77. SETTLEMENT OF PROPERTY TAX CASES

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated December 16, 2009. List is on file in the Clerk of the Board's Office. (C-06-10-235-7-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

78. TAX ABATEMENTS

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-43-10-010-M-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

BOARD OF SUPERVISORS ADDENDUM

County Attorney

A-1. MCCOY'S MHP, LLC V. TREASURER, CC2009484566, ARROWHEAD JUSTICE COURT

Approve settlement as discussed in Executive Session on December 14, 2009, that the action be dismissed based upon the plaintiff's payment to the Treasurer of \$1,000; the balance of outstanding taxes to be abated. (C-19-10-015-M-00)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

Human Services

A-2. AMENDMENT TO CONTRACT WITH HOUSING OUR COMMUNITIES AND CITY OF PEORIA FOR A MULTI-FAMILY RENTAL PROJECT

Approve the amended agreement (C-17-09-025-2-00) with Housing Our Communities, City of Peoria and Maricopa County through the Human Services Department, Community Development Division. The purpose of this amendment is to change the scope of work from acquisition and rehabilitation of 6 multi-family rental units to the acquisition of a vacant lot and new construction of 4 rental units. The amendment is effective upon signature by the Board of Supervisors and will remain in effect until all work is completed and/or remaining funds are returned, no later than June 30, 2011. Funding amounts for this agreement have not changed and are provided by a grant from the U.S. Department of Housing and Urban Development (HUD). This contract will not impact the County's General Fund.

The scope of work section of the original agreement was revised due to lack of suitable properties for acquisition and rehabilitation. The revised agreement includes the following changes:

Change from acquisition of existing housing and rehabilitation of a 6 unit multi-family rental project to acquisition of land and new construction of a 4 unit multi-family rental project.

Change of administrator from William L. Patena, 9875 N. 85th Avenue, Peoria, Phone: 623-773-7167, FAX 623 773-7256 to Carin Imig, 9875 N. 85th Avenue, Peoria, Phone: 623-773-7381, FAX 623-773-7233. (C-17-09-025-2-01)

Motion to approve by Supervisor Stapley, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

MEETING RECESSED

Chairman Wilson recessed the Board of Supervisors to convene as the Board of Directors of various special districts.

MEETING RECONVENED

Chairman Wilson reconvened the Board of Supervisors.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

79. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

Salvador Reza, resident, said the "situation has gotten out of control" and mentioned a newspaper editorial about the different entities, including judges, that are now being targeted by the County Attorney and Sheriff Arpaio. He said if this is not stopped now everyone could end up being intimidated, and noted that people who would formerly speak out on radio and TV have stopped because they are afraid of retaliation. He stated that Sheriff's officers were taking pictures of their facilities yesterday. He vowed that Hispanics will "continue to speak our truth from our perspective." He hoped the new year would be better for all.

Blue Crowley, citizen, referenced the videotape showing the alleged violation of attorney/client privilege by a Sheriff's deputy, whose recent actions in court resulted in contempt of court charges by the judge. He believed the deputy's actions showed that constitutional guarantees are not being honored. Mr. Crowley said he was tired of Channel 15 and the other media abuse in this town that is being directed towards several Supervisors and others in the County.

Mr. Crowley also asked that MCDOT assume responsibility for the many rest areas in the County.

Mr. Crowley, dressed in a Santa hat, said he had two pieces of coal, one for the Sheriff and one for the County Attorney, as he wished the Board a Merry Christmas.

Kristy Theilen, resident, also referenced recent intimidation tactics and media reports that have made victims out of certain supervisors. She said that was "sad" because she felt the Board has the ability to be courageous and counter Sheriff Arpaio's intimidation tactics, and this has not been happening.

Carlos Galindo, resident, also expressed that he felt there have been attacks on the Board of Supervisors and judges. He referenced the retaliatory arrests of Supervisor Stapley, indictments of Supervisor Wilcox and attacks on Superior Court Judges, Mr. Galindo stated that he felt Arizona is burning up with racism and abuse.

Carrie Wallinger had filled out a speaker slip but was not present when called by the Chairman.

Anna Gaines, American Citizens United, voiced her concern about the remarks made about racism. She felt the Sheriff is the only line between total anarchy and the rule of law and said she supports him. Ms. Gaines said her organization has been very concerned with the conduct of Supervisor Wilcox, noting she had marched with a group of alleged illegals earlier this year. Ms. Gaines felt this was a violation of the ethics of her position as a Board Member.

Kathryn Kobor, citizen, referenced several paragraphs in the Maricopa County Ethics Handbook and read these segments, which Ms. Kobor believed Supervisor Wilcox has chosen to ignore. She asked what good the ethics handbook was doing if it was ignored.

Carrie Wallinger was now present and was called by the Chairman. Ms. Wallinger spoke of the offenses of the past week that were frightening to her and, she felt, to many people in the County, likening it to a "police state." She said the Board had the opportunity to do something about it. She added, "We have the opportunity to stand up against racism in this county . . . and to improve the image of Arizona in this country."

Supervisor Wilcox responded to the personal attacks against her by stating, "I am never going to stop trying to make sure that human rights and civil rights are protected in our country. I have been an elected official 25 years and I am not going to change just because somebody tries to intimidate me. I have lived my life the way I want to live it and I've felt I've served the public for 25 years in an ethical manner, I don't think I've violated anything, but I will not change my point-of-view merely because of intimidation. Supervisor Wilcox referenced the federal immigration reform and said she hoped the passage of this bill in 2010 would "ease some of this madness."

80. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Supervisor Wilcox thanked Public Health for their previous and current work in alerting the public to the H1N1 dangers, noting that another wave of this flu is expected soon and she urged all residents to protect themselves and their loved ones.

Supervisor Brock commented on the many positive County activities shown in the 2009 video earlier in the meeting and the recognition of those County employees who serve the public. He also thanked Max Wilson for his service as Chairman of the Board during "a very tough year." He also thanked those individuals who have come to meetings, involving themselves by expressing their opinions throughout the year, as well as at today's meeting. He recognized America as being a great country that could still be improved throughout its many and various parts, similar to its citizens, expressing the hope that the coming year would be beneficial to all.

Supervisor Brock also mentioned the importance of the County's first Air Quality Conference held in October and said that for the past five years local emergency rooms have been flooded with those having respiratory problems because of the bad air. He noted recent improvements made in air quality and said this does not happen without the cooperation of private and public sectors and he thanked all who have concerned themselves with finding solutions to cleaning up the quality of our air. He noted that the October conference, held at a Scottsdale resort, had experienced standing-room-only conditions as early as 7:00 a.m.

Supervisor Brock also thanked David Smith for his help in establishing Walgreens on the second floor of the Administration Building earlier this year because it has been such a benefit to employees.

Finally, Mr. Brock saluted Hamilton High School in their State Championship win in football last Saturday night, saying it had been a great contest against the opponents from Mesa High School. He noted that Maricopa County has a great tradition of sports.

Supervisor Stapley said there had only been two high schools in Mesa when he grew up there, Mesa High School and Westwood High School – this was before Mountain View became "a perennial power in football" and now there are other schools that have become very strong. He added that most of the East Valley schools produce strong teams. He also congratulated Hamilton on their win.

Supervisor Stapley said this is the last official public meeting at which Chairman Max Wilson will preside. Supervisor Stapley expressed his personal appreciation to Chairman Wilson for the concern, interest and dedication to the work and welfare of Maricopa County and each of its employees, including the Board Members. He added, "It's been a difficult year for many Board Members, not just me, but many Board Members." He stated, "I know I have done nothing wrong." Supervisor Stapley added that he looked forward to resolution when the County can work without the divisive litigation that has been conducted in past months. He announced that the lawsuit with the Treasurer, "Hos" Hoskins, has just been resolved amicably and Mr. Hoskins has signed the settlement agreement the Board approved last Monday. He expressed hope that differences with all elected officials could and would also find an amicable resolution. He felt that the County and the individuals under attack will win if they hold strongly together in the face of this onslaught and added that "it will be the County, not us, that will be the winner."

Supervisor Wilcox echoed these sentiments, saying that the year began with lots of strife and thanked Chairman Wilson for opening the doors to those who wanted to express their feelings. She said, "It doesn't matter if you have different opinions with people, it matters that you hear them." She thanked the Chairman for showing civility and allowing the protesters to be heard.

Chairman Wilson said he had learned early in life, from his wife, that if you didn't listen, life was not good.

The Chairman continued that he wouldn't complain about 2009 because he felt that, "all-in-all it had been a pretty good year – we operated the way we should. We responded to what we needed to." On the day he took office he advised everyone in the County who has a television to turn it on and learn what we do in these meetings. He added that the meetings are not behind closed doors, they are open and people who don't like us can say so. "They have that right and it is an important part of the process ... we listen to both sides."

Chairman Wilson commented on the "life he had before" when he and his partner had helped to build and develop Phoenix and this County through their company, Design Master Homes. He added that they weren't the only ones and were not the first ones, noting that Del Webb's Sun City will celebrate its 50th Anniversary in 2010. He remembered that the line of cars going to Sun City the day they opened it up was seven-miles long – to go out and look at the houses Del Webb was selling for \$11,000.

Mr. Wilson reminisced about the many developers who followed Del Webb's example as people flocked to the Valley of the Sun to escape their cold northern winters and to learn about the game of golf and that they could play it all winter long. He added that servicemen in all parts of the world came to Phoenix when they mustered out because they had heard there were affordable houses available for families for \$6,500 or \$7,000. He named Del Webb, John Long and John Hall as developers of blocks of land in those days, "And they all had to come to the Board of Supervisors to get their new housing ideas approved." The County Board of Supervisors has talked new projects, new zoning and changed zoning using wisdom and guidance and a ton of experience. The Board gives reasons for approving or disapproving the requests and has been an integral part of helping this County grow and to promote employment for those who moved here. He added that successful politicians learn that there is more than one way to get things done.

David Smith commented, "Well said, Mr. Chairman. I appreciate your leadership to my management team and on behalf of all the employees. You've really been a steady

hand at the tiller in turbulent water.”

*****The Board of Supervisors will now consider Code Enforcement Reviews*****

Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.

David Smith left the dais and Paul Golab left the meeting at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, Outside Attorney, came forward to present the following Planning and Zoning cases.

CODE ENFORCEMENT REVIEW

PZ-1. V200900584 – KOSOVRASTI

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200900584, Kosovrasti (Supervisor District 3) (C-44-10-058-M-00)

Darren Gerard reported on background information for this case, which stems from a 2006 violation that continues to today. A hearing was held October 30, 2009, and the respondent was found responsible for the violation during the period he had control over the property and ordered to pay a flat fine of \$1,500.

The representative for Mr. Kosovrasti said the summons for the violation was issued in September of 2009. Mr. Kosovrasti sold the property in April 2009 and did not retain any interest in it. When he received the summons in September he determined that he was not the owner and so was not the proper party to respond to it. He said that in 2006 the Flood Control District issued a stockpiling permit to Mr. Kosovrasti's contractor and he believed that was all that was necessary to get from the County. He heard of no further objection to the stockpiling of the dirt until after the property had been sold.

Supervisor Stapley asked staff for any clarification on his understanding that this violation is in relation to stockpiling that occurred before the property was owned by Mr. Kosovrasti and a second violation has since been issued to him as the current property owner. Mr. Gerard replied this was correct. The Hearing Officer concluded that Mr. Kosovrasti had created the violation and was also responsible for the continuation of this violation while the property was under his control. He added that Mr. Kosovrasti submitted an application for an as-built stockpile permit but this was never issued and he had never responded to staff's requests for revisions on the application.

Motion to uphold Hearing Officer's Order of Judgment by Supervisor Stapley, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

PZ-2. V200800216 – RUNNER

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200800216, Runner (Supervisor District 3). (C-44-10-057-M-00)

Darren Gerard announced that this case has been settled and required no Board action.

PZ-3. V200901387 - RUSSELL RANCH, LLC

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200901387, Russell Ranch, LLC (Supervisor District 4). (C-44-10-056-M-00)

Terry Eckhardt gave background information for this ongoing issue where all violations relate to improper drainage. He said the contractor did not improve the property in accordance with the approved plans. The case was opened in 2009 but the issues have proceeded for many years. Staff has tried to work with the developer to resolve the many drainage issues and has had no success. He said the respondents argued with staff instead of working to resolve the many violations. The case was opened as a last resort. A hearing was held October 30, 2009, and testimony taken. A fine of \$5,000 was imposed for each violation.

Motion to uphold Hearing Officer's Order of Judgment by Supervisor Stapley, seconded by Supervisor Wilcox

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

The Board of Supervisors will now consider matters related to Planning and Zoning

PLANNING AND ZONING AGENDA

REGULAR AGENDA

1. COMPREHENSIVE PLAN AMENDMENT - STARWOOD SOLAR I PROJECT

Case Number: CPA200909
Supervisorial District: 5
Applicant: Starwood Solar I, LLC for Harquahala 360, LLC et al
Location: Southwest corner of 491st Avenue and Salome Highway
Request: Major Comprehensive Plan Amendment (CPA) to change the land use designation from Rural Development Area (RDA) to Industrial for a solar energy generation facility (approx. 1,920 ac.) - Starwood Solar I Project
Commission Action: Approval by a vote of 8-0-1 (Hiatt recused)
(C-44-10-053-7-00)

Darren Gerard reported on the background of this case, adding that it will later need a Special Use Permit and with that the recommendation was for approval by resolution with stipulations "a" through "g."

Motion to concur with Planning and Zoning recommendation for approval by resolution by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

2. COMPREHENSIVE PLAN AMENDMENT - MESQUITE SOLAR WEST

Case Number: CPA200910
Supervisory District: 4
Applicant: SEP-II, LLC
Location: Southwest corner of Elliot Road and 411th Avenue
Request: Major Comprehensive Plan Amendment (CPA) to change the land use designation from Rural Residential (0-1 d.u./ac.) to Industrial and to Dedicated Open Space for a solar energy generation facility (approx. 1,280 acres) - Mesquite Solar West
Commission Action: Approve by a vote of 8-0-1 (Johnson recused)
(C-44-10-052-7-00)

Darren Gerard said this Comprehensive Plan would change the land use designation on the old Highway 80 plan from rural residential to industrial with a designated open space identified. This case will also have a future Special Use Permit application giving details. Approval by resolution is recommended, with stipulations "a" through "i."

Charles L. "Chip" Hart, AICP, Principal Planner and Code Enforcement Supervisor, briefed the case and answered any questions.

Supervisor Wilcox commented on the increased solar power this amendment will facilitate.

Motion to concur with Planning and Zoning recommendation for approval by resolution, by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

3. COMPREHENSIVE PLAN AMENDMENT - HICKMAN'S EGG RANCH

Case Number: CPA200911
Supervisory District: 5
Applicant: Francis J. Slavin, P.C., for Hickman's Egg Ranch, Inc.
Location: Approx. south of Salome Highway, north of Southern Pacific Railroad, and east of 331st Ave. (in the Tonopah area)
Request: Major Comprehensive Plan Amendment (CPA) to change the land use designation from Rural to Industrial for agri-industrial business (approx. 339 ac.) - Hickman's Egg Ranch Project
Commission Action: Approval by a unanimous vote of 8-0 per staff recommended stipulations 'a' through 'g'.
(C-44-10-051-7-00)

Darren Gerard reported that four letters in opposition had been received from residents adverse to expansion. The recommendation is for approval but changes have been made to stipulations "a" through "e" as noted on handout distributed to Members. Staff

asks for a 30-day continuance to bring this matter to a proper conclusion.

Supervisor Wilcox agreed there was a need to continue this if it caused no harm to the applicant.

Motion to continue to the January 27, 2010, meeting by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

4. COMPREHENSIVE PLAN AMENDMENT - GOLDEN SANDS SOLAR PROJECT

Case Number: CPA200912
Supervisory District: 5
Applicant: RES America Developments, Inc., for Arizona State Land Department
Location: West side of Potato Road, approximately four (4) miles south of Interstate-8.
Request: Major Comprehensive Plan Amendment (CPA) to change the land use designation from Rural Development Area (RDA) to Industrial for a solar energy generation facility (approx. 3,200 acres) - Golden Sands Solar Project
Commission Action: Approval by a vote of 8-0, subject to staff recommend stipulations 'a' through 'h'.
(C-44-10-054-7-00)

Darren Gerard reported on the case background and said the recommendation is for approval by resolution.

Motion to concur with Planning and Zoning recommendation for approval by resolution, by Supervisor Wilcox, seconded by Supervisor Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

5. SPECIAL USE PERMIT - MESQUITE SOLAR

Case Number: Z2009022
Supervisory District: 4
Applicant: SEP-II, LLC
Location: Southeast corner of Elliot Road and 411th Avenue (in the Tonopah area)
Request: Special Use Permit (SUP) for a 400 MW photovoltaic (PV) solar energy generation facility in the Rural-190 zoning district (approx. 2,480 acres) - Mesquite Solar
Commission Action: Unknown - scheduled for action by the Commission on 12-3-2009 per applicant's request.
(C-44-10-050-7-00)

Motion to continue to the January 12, 2010 meeting by Supervisor Wilcox, seconded by Supervisor Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned at 11:00 a.m.

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board

FLOOD CONTROL DISTRICT AGENDA

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, December 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Legal Counsel.

F-1. AMENDMENT NO. 1 - SOSSAMAN CHANNEL IMPROVEMENTS PROJECT

Adopt Amendment No.1 to Resolution FCD 2009R005, Sossaman Channel Improvements Project. This Amendment will authorize and direct the Chief Engineer and General Manager of the District to advertise, select, negotiate and award contracts for construction services for implementation of the project improvements, subject to the ratifications and approval of this Board.

The District adopted Resolution FCD 2009R005 on March 18, 2009 (C-69-09-053-6-00) to obtain design services for improvements to Sossaman Channel from Baseline Road to Guadalupe Road. Design is in progress and the District intends to initiate construction of the improvements upon completion of design. This Agenda Item impacts Supervisory District 2. (C-69-09-053-6-01)

Motion to approve by Director Stapley, seconded by Director Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

F-2. BID AND AWARD CONTRACT FOR SOSSAMAN CHANNEL IMPROVEMENTS

Authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids for Contract FCD 2009C038, Sossaman Channel Improvements(#442), and to award the contract to the lowest responsible bidder if the bid is not more than 10% over the engineer's estimate.

The District developed a study for Repair and Improvement Solutions for the Sossaman Channel from Baseline Road to Guadalupe Road. This segment of Sossaman Channel was found to be a priority for improvements to mitigate extensive maintenance activities related to erosion, deposition, concrete failures, and nuisance water ponding.

The Project was authorized by Resolution FCD 2009R005 on March 18, 2009 (C-69-09-053-6-00), for design, and Amendment FCD 2009R005A on December 16, 2009 (C-69-09-053-6-01), for construction. The District will be the lead agency for construction of the project, and there are no project partners. The project is located in Supervisory District 2. (C-69-10-039-5-00)

Motion to approve by Director Stapley, seconded by Director Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

F-3. AMENDMENT TO IGA FOR INTERFEROMETRIC SYNTHETIC APERTURE RADAR PRODUCTS

Approve Amendment No. 2 to an Intergovernmental Agreement (IGA) between Arizona Department of Water Resources and Maricopa County through the Flood Control District in the not-to-exceed amount of \$25,000. The purpose of this amendment is to extend the term of the agreement and increase the District's contribution. This amendment is effective from December 16, 2009 to December 31, 2020. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The projects covered by this agreement provide flood protection throughout Maricopa County. This Agenda Item impacts Supervisory Districts 1, 2, 3, 4, and 5. (C-69-05-126-2-02)

Motion to approve by Director Stapley, seconded by Director Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

F-4. IGA FOR ADVANCE REVIEW PROCESS WITH ARIZONA DEPARTMENT OF WATER RESOURCES FOR THE WHITE TANKS FRS #4 DAM REHABILITATION PROJECT

Approve Intergovernmental Agreement (IGA) FCD 2009A016 for reviews by the Arizona Department of Water Resources (ADWR) of Flood Control District of Maricopa County (District) White Tanks Flood Retarding Structure No. 4 dam rehabilitation project design documents in advance of formal application for ADWR "Permit to Construct".

The estimated cost of this IGA is \$150,000. The IGA shall be effective once it has been executed by both parties, may be terminated by either party, and shall expire after December 31, 2011.

The purpose of this IGA is to implement this advance review process with ADWR for the White Tanks FRS No. 4 Dam Rehabilitation Project such that the District would reimburse ADWR for costs incurred for advance consultant reviews (under contract to ADWR) during the design process.

The estimated total cost of the advance consultant reviews for the White Tanks FRS No.4 Dam Rehabilitation Project is \$150,000 to be fully funded by the District through ADWR invoices and subsequent District reimbursements to ADWR. Supervisor District 5. (C-69-10-040-3-00)

Motion to approve by Director Stapley, seconded by Director Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Max W. Wilson, Chairman of the Board

Fran McCarroll, Clerk of the Board

LIBRARY DISTRICT AGENDA

The Board of Directors of the Library District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, December 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Legal Counsel.

L-1. LEASE AGREEMENT WITH RECREATION CENTERS OF SUN CITY INC

Approve and execute a new Full Service Lease No. L-7412 with Recreation Centers of Sun City, Inc. for 4,365 square feet of building, for use by the Library District, located at Fairway Center, 10600 W. Peoria Avenue, Room 143 and Room 144., Sun City, AZ. The lease period commences on date of occupancy and terminates on five years. One additional five-year term. Annual rents and operational costs will come from reductions of the Sun City Branch. Furniture, Fixtures and Equipment (FF&E) and library materials will be covered by funds provided to the District by the Friends of the Sun City Libraries.

The Sun City Library, Inc. Board of Directors has requested that the Library District take over the operation of this library. Sun City is unincorporated Maricopa County and the primary service area of the Library District. The Library District currently operates the main Sun City Branch Library located at 99th Avenue and Bell Road. (C-65-10-010-M-00)

Motion to approve by Director Wilcox, seconded by Director Stapley

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board

STADIUM DISTRICT AGENDA

The Board of Directors of the Stadium District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, December 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Legal Counsel.

S-1. PARTY SUITE RENOVATION PROJECT

1. Approve, and authorize Julie Schweigert, Stadium District Executive Director Representative, to execute a letter agreement between the Stadium District and AZPB Limited Partnership and related Team Entities that provides for the renovation of certain Party Suites at Chase Field. It is expected that renovating this space will result in greater usage and increased revenue to the Team and the District. The project will be implemented in accordance with the Procurement Code. The cost of the project is not-to-exceed \$1,000,000 and will be paid for from the Stadium District (680) Long Term Project Reserve (450) account.
2. Approve a transfer in the amount of \$1,000,000 from the Stadium District (680) Long Term Project Reserve Fund (450) to the Stadium District (680) Ballpark Operations Fund (253). This action will require an increase in the amount of \$1,000,000 to the Stadium District (680) Long Term Project Reserve Fund (450) Non Recurring Non Project (0001) expenditure appropriation and an increase in the amount of \$1,000,000 to the Stadium District (680) Ballpark Operations Fund (253) Non Recurring Non Project (0001) revenue appropriation. The above transactions will be offset with corresponding adjustments to Stadium District (680) Eliminations Fund (900) Non Recurring Non Project (0001) budget for a net impact of zero.
3. Approve an increase in the amount of \$1,000,000 to the Stadium District (680) Ballpark Operations Fund (253) Non Recurring Non Project (0001) expenditure appropriation.
4. Approve a decrease to the Stadium District (680) Long Term Project Reserve Fund (450) Non Recurring Budget (BPSR) expenditure appropriation in the amount of \$1,800,000. (C-68-10-004-5-00)

The Clerk, prior to the vote, added the following to both Stadium District items: "The signature of either Julie Schweikert, District Executive Director, or Chairman Wilson provide authorization for approval and/or expenditure on these two items."

Supervisor Brock thanked Julie Schweikert and Derek Hall, Diamondback owner, for their preparation and work on the two Stadium District items. He added that the Board has enjoyed working with Mr. Hall and the Diamondbacks.

Motion to approve by Director Wilcox, seconded by Director Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

S-2. CHASE FIELD ROOF COATING PROJECT

1. Approve, and authorize Julie Schweigert, Stadium District Executive Director Representative, to execute a letter agreement between the Stadium District and AZPB Limited Partnership and related Team Entities that provides for coating the roof at Chase Field. Coating the roof will enhance its appearance and extend the roof life. The Project will be conducted in accordance with the Procurement Code. The cost of the project will be determined through the public procurement process and will be paid for from the Stadium District (680) Long Term Project Reserve (450) account.

2. Approve a transfer in the amount of \$1,200,000 from the Stadium District (680) Long Term Project Reserve Fund (450) to the Stadium District (680) Ballpark Operations Fund (253). This action will require an increase in the amount of \$1,200,000 to the Stadium District (680) Long Term Project Reserve Fund (450) Non Recurring Non Project (0001) expenditure appropriation and an increase in the amount of \$1,200,000 to the Stadium District (680) Ballpark Operations Fund (253) Non Recurring Non Project (0001) revenue appropriation. The above transactions will be offset with corresponding adjustments to Stadium District (680) Eliminations Fund (900) Non Recurring Non Project (0001) budget for a net impact of zero.

3. Approve an increase to the Stadium District (680) Ballpark Operations Fund (253) Non Recurring Non Project (0001) expenditure appropriation in the amount of \$1,200,000. (C-68-10-003-5-00)

The Clerk, prior to the vote, added the following to both Stadium District items: The signature of either Julie Schweikert, District Executive Director, or Chairman Wilson provide authorization for approval and/or expenditure on these two items.

Supervisor Brock thanked Julie Schweikert and Derek Hall, Diamondback owner, for their preparation and work on the two Stadium District items. He added that the Board has enjoyed working with Mr. Hall and the Diamondbacks.

Motion to approve by Director Wilcox, seconded by Director Brock

Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board